

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dillon, et al.

Docket No.: ISAA0040

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Serial No.: 10/032,843

Art Unit: 2167

AUG 08 2005

Filed: DECEMBER 27, 2001

Examiner: Linh Black

Title: System and Method for Obtaining Keyword Descriptions of Records from a Large Database

August 4, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 C.F.R. § 1.131

1. My name is Craig Dillon and I am listed as an inventor on the subject application. Claims 1-5, 7-31, 33-43, 46-56, and 58-60 of my patent application have been rejected under 35 U.S.C. § 103 as being unpatentable over Mikurak and further in view of Strubbe *et al.* Additionally, Claims 16, 32, and 57 have been rejected under 35 U.S.C. § 103 as being unpatentable over Mikurak and further in view of Everling *et al.*

2. Mikurak, U.S. Patent Number 6,606,744, was filed on 22 November 1999 and issued on August 12, 2003.

3. Strubbe *et al.*, U.S. Patent Number 6,795,808 was filed on 30 October 2000 and issued on 21 September 2004.

4. To establish invention of the subject matter of the rejected claims prior to the effective date of the references upon which the rejection is based, I submit the following documents for review by the Examiner: Kaleidoscope, The Web as the World (November 7, 1999) and IE Scope, The Web as the World (January 3, 2000). I am an author of each of these documents.

5. The document entitled Kaleidoscope, having a date of November 7, 1999, predates the filing date of Mikurak, which is 22 November 1999. The Kaleidoscope document is submitted as evidence of conception and reduction to practice prior to the effective date of the Mikurak reference.

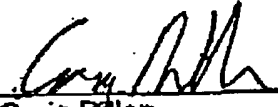
6. The document entitled Kaleidoscope, having a date of November 7, 1999 and the document entitled IE Scope, having a date of January 3, 2000, are both submitted as evidence of conception and reduction to practice prior to the effective date of the Strubbe *et al.* reference, 30 October 2000.

7. In view of the foregoing, the cited references are avoided because of the attached evidence of my prior invention. To assist the Examiner in considering the attached evidence of prior conception and reduction to practice, the Examiner is directed to, for example, Figures 19 and 20 of the subject application. Identical figures are shown on pages 11 and 15 of the Kaleidoscope document and pages 13 and 17 of the IE Scope document.

8. Neither of the cited references, *i.e.* Mikurak and Strubbe *et al.*, claim the same subject matter as that set forth in the claims of my patent application.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 in the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,


Craig Dillon,
Declarant

8/4/2005
Date

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1. My name is Richard Howe and I am listed as an inventor on the subject application. Claims 1-5, 7-31, 33-43, 46-56, and 58-60 of my patent application have been rejected under 35 U.S.C. § 103 as being unpatentable over Mikurak and further in view of Strubbe *et al.* Additionally, Claims 16, 32, and 57 have been rejected under 35 U.S.C. § 103 as being unpatentable over Mikurak and further in view of Everling *et al.*
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Respectfully submitted,



Richard Howe,

August 05, 2005

Date